

FREQUENTLY ASKED QUESTIONS RELATED TO MEDICAID AND SCHOOL-BASED SERVICES (IR 2008-12)

Medicaid Information Release 2008-12, published on May 21, 2008, provided information and guidance for providers and parents on the Division of Medicaid's policy on billing for school-based services. The following questions and answers have been prepared with the assistance of the Department of Education to provide further clarification of the policy.

1. What are school-based services?

School-based services is a Medicaid term used for health-related and rehabilitative services provided by Idaho public school districts, charter schools, and the Idaho Infant Toddler program under the Individuals with Disabilities Education Act (IDEA). [IDAPA 16.03.09.850.03]

2. Who can bill for school-based services?

Public schools, charter schools and the infant toddler program can bill Medicaid for school-based services as a school based provider because the 1988 Medicare Catastrophic Coverage Act expanded Medicaid funding for school-based services to allow payment for medical services provided to Medicaid eligible children with special needs under the IDEA. Each child is required to have an Individualized Education Plan (IEP) or an Individualized Family Service Plan (IFSP) in order for Medicaid to pay for their school-based services.

3. What Medicaid benefits can school-based providers deliver?

When medically necessary and included on the child's IEP or ISFP, the following services can be provided by or through a public school district, charter school, or the Idaho Infant Toddler program:

- Collateral Contact
- Developmental Therapy and Evaluation
- Medical Equipment and Supplies
- Nursing Services
- Occupational Services and Evaluation
- Personal Care Services
- Physical Therapy and Evaluation
- Psychotherapy
- Psychosocial Rehabilitation
- Intensive Behavior Intervention
- Speech/Audiological Therapy and Evaluation
- Social History and Evaluation
- Transportation and Interpretive Services in limited circumstances

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The public school district, charter school or the Idaho Infant Toddler program can either employ personnel to deliver the needed services or can contract with private providers to deliver these services as required by the child's IEP or IFSP.

4. My special needs child has been determined eligible for Medicaid benefits and he/she attends a public school and has an IEP. Is my child's Medicaid benefits reduced by the amount of school-based services received?

No. The school-based services your child receives do not reduce the Medicaid benefits he/she is eligible to receive outside of school in the community. The Medicaid funding for school-based services is provided to schools to support the inclusion of children with disabilities in public school environments while continuing to ensure that they receive the services they need. The community Medicaid benefits that your child is eligible for are not affected by the benefits provided as part of his/her special education.

5. If I have placed my special needs child in a private school or I home school my child, what is the obligation of the school district?

The school district's responsibility for serving private school or home school students varies based on who places the student in a private school or home school setting. If the district places the child through an IEP, full IDEA benefits are offered. If a parent voluntarily or unilaterally places a child then, IDEA benefits are reduced or unavailable. In order to receive special education benefits, parents should work closely with their local school district to determine how to meet the needs of the child. Please refer to the Idaho State Department of Education-Special Education Manual for more information. (www.sde.idaho.gov/site/special_edu)

6. If I have placed my special needs child in a private school or I home school my child, what role does Medicaid play in my child's education?

Medicaid is only available to help pay for health-related special education services if they are included on an IEP or ISFP and are provided in accordance with the IDEA. Medicaid does not cover services provided by a community agency such as developmental therapy, intensive behavioral intervention (IBI), or psycho-social rehabilitation (PSR), in conjunction with educational tasks associated with educational needs.

For children who are not enrolled in public school or a charter school, Idaho law requires that he/she receives "comparable instruction" in "subjects commonly and usually taught in public schools" "during a period in each year equal to that in which the public schools are in session." [I.C. § 33-202] The Division of Medicaid will review medical necessity and will consider the following measure of comparable instruction prior to authorizing the requested service or when auditing services not required to be pre-authorized.

Kindergarten: 450 hours
180 days
36 weeks
12.5 hours/week
2.5hours/day @ 5 days/week

Grades 1-3: 810 hours
180 days
36 weeks
22.5hrs/week;
4.5 hours/day @ 5 days/week

Grades 4-6: 900 hours
180 days
36 weeks
25 hours /week
5.0 hours/day @ 5 days/week

Grades 7-12: 990 hours
180 days
36 weeks
27.5 hours/week
5.5hours/day @ 5 days/week

7. How do preschool children access Medicaid benefits in the community?

In Idaho, local public school districts are required to provide school based services to preschool children who are found eligible for special education and related services. For children found eligible an Individual Education plan (IEP) will be developed. This individual plan includes education and related services necessary for your child to learn and develop functional skills (social, emotional, early literacy, language and communication) at a level comparable to other children their age.

Parents should work closely with their local school district, to determine what special education services are available for their child. When there is an IEP for the preschool child, community providers are required to coordinate their services with the IEP.

Parents who choose not to access IDEA services for their preschool child, may access Medicaid community based services from a community provider agency. If your child receives rehabilitative services from a community provider agency, the provider agency is responsible for meeting all the requirements identified in the Department rules and complying with their Medicaid provider agreement.

8. My child is kindergarten age and only attends school for a few hours each day. How does this Medicaid policy affect my child's ability to receive rehabilitation services from a provider agency such as a DDA or PSR agency?

If your kindergartner has special needs, he/she will have an IEP developed by his/her IEP team and it may include school-based services to be provided during the school day. If it has been determined that it is medically necessary for him/her to also receive rehabilitative services in the community, the DDA or PSR agency's individual program plan for your child should provide sufficient description and explanation of how the community based services are not part of your child's education needs or education program.

9. My child's public school schedule only provides school four days a week. Can my child receive developmental disability agency services on the fifth day?

Yes. Your child's IEP will cover the school-based services appropriate for your child during the school district's four day school week. Your child's community-based services are determined

by working with a private agency to develop an individual program plan that provides the services that your child is eligible to receive that are not part of child's education needs or education program.

10. When can my child receive rehabilitation services from a community provider agency?

Your child's schedule is determined through the IEP process and is based on his/her individual needs. Any school-based services that assist with educational tasks associated with your child's educational needs included in the IEP will be provided by or through the school district or charter school. If it has been determined that it is medically necessary for your child to also receive rehabilitative services in the community, the DDA or PSR agency's individual program plan for your child should provide sufficient description and explanation of how the community based services are not part of your child's education needs or education program.

11. My child is age 19. I know that IDEA services can continue to be provided in a public school program until age 21, but my child is ready to finish high school and move on. Can my child finish the IDEA program before age 21 and choose to participate in community Medicaid benefits instead?

You along with your child's IEP team may come to the conclusion that your child no longer benefits from the public school program after he/she is 18 years old. In that case, your child's community-based services are determined by working with a private agency to develop an individual program plan that provides the services that your child is eligible to receive.

12. What if my child has medical needs that require medical treatment covered by Medicaid and must leave the school to get treated?

Medical treatment, including services for an acute condition, is available to Medicaid participants whenever needed. However, children should not be routinely removed from publically available school programs in order to access private community related services unless the service needed falls outside the obligation of IDEA. Parents and providers should work together with the local public education program to determine what the IDEA obligations are for their child.